

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 04-00200SOM-01
)	
Plaintiff,)	DECLARATION OF COUNSEL
)	
vs.)	
)	
NICOL H. BOTELHO,)	
)	
Defendant.)	
_____)	

DECLARATION OF COUNSEL

1. Declarant is the attorney for the Defendant in the above-referenced matter and is informed and believes as follows;

2. Defendant was sentenced to supervised release, and ordered to pay restitution, with interest;

3. The sentencing court was notified that the victim, City Bank, waived interest as part of the civil matter;

4. The sentencing court required Defendant to produce an executed settlement agreement which reflected this waiver of interest;

5. Attached is a copy of the executed Repayment Agreement between the parties which reflects a waiver of interest (see page 4, item 4);

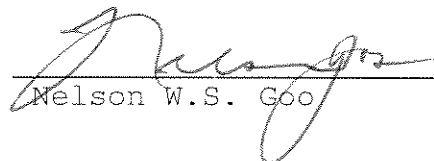
6. Defendant since has been making regular, timely payments;

7. Defendant has been compliant in all respects with all other terms and conditions of her supervised release;

8. Therefore, it is respectfully requested that this Court delete the interest requirement, nunc pro tunc, as a term and condition of Defendant's supervised release;

9. Declarant states that under penalty of law that the

foregoing is true and correct to the best of his knowledge and belief.


Nelson W.S. Goo